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GREGOR N NEFF ESQ
WHITMAN BREED ABBOTT & MORGAN LLP
200 PARK AVENUE
NEW YORK NY 10166

EXAMINER

DEXTER, C

ART. UNIT

PAPER NUMBER

3724

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DATE MAILED: 09/26/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

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Office Action Summary

Application No.
09/385,336

Applicant(s)
Roberts et al.

Examiner
Clark F. Dexter

Group Art Unit
3724



☒ Responsive to communication(s) filed on Aug 7, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-34 is/are pending in the application.

Of the above, claim(s) 3-6, 9-26, 28, and 30-34 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, 7, 8, 27, and 29 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau. (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Election/Restriction

1. Applicant's election without traverse of Group V (claims 1, 2, 7, 8, 27 and 29) in the response filed August 7, 2000 (paper no. 4) is acknowledged. Claims 3-6, 9-26, 28 and 30-34 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.

Information Disclosure Statement

2. The information disclosure statement filed August 3, 1999 (paper #2) has been received and the references listed thereon have been considered.

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Applicants' residences have been provided. However, the declaration does not identify the post office address of each inventor. A post office address is an address at which an

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inventor customarily receives his or her mail and may be either a home or business address. The post office address should include the ZIP Code designation.

Drawings

4. The drawings are objected to because of the following informalities:

In Figure 1, numerals 32 and 44 are unclear as to what they indicate, and it seems that the lead line for each occurrence should extend to one of the displays or one of the slots, respectively, for clarity.

In Figure 3, a numeral (e.g., 146a) should be added to indicate the hole in the vertical extension 146 for clarity.

In Figure 5, numeral 20 appears to be inaccurate and it seems that it should read --21-- or the like.

In Figure 6, a numeral should be added to indicate the shaft next to shaft 109.

In Figure 7, numeral 73 is inaccurate since it is shown as indicating the shaft, but is described as indicating the separator member, and it is suggested to change it to --73a-- and to add --73-- with an arrowheaded lead line or the like for clarity.

Appropriate correction is required.

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "credit means" as set forth in

← ~~1~~

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claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Specification

6. The disclosure is objected to because of the following informalities:

Numerals 23[✓] and 52[✓], shown in Figure 1, do not appear to be described.

On page 7, line 16[✓], it seems that "display" should be plural.

On page 9, line 18[✓], it seems that "prevent" should read --prevents--.

On page 10, last line[✓], a numeral should be provided for "a common shaft" (which is located next to shaft 109 as described above in the drawing objection) for clarity.

On page 11, line 4, the phrase "to which each drive roller 83 is secured" is inaccurate since the rollers 83 are secured to shaft 105, not drive shaft 79; in the second line from the bottom of the page[✓], "73" is inaccurate and improper since it has already been used to represent the entire separator member, and it is suggested to change "73" to --73a-- or the like. ← *OK*

On page 12, in each of the last two lines, a numeral (e.g. 146a) should be provided after "hole" for clarity.

On page 13, line 3[✓], "12" is incorrect, and it seems that it should be changed to --120--; in line 5[✓], "12" is incorrect, and it seems that it should be changed to --128--.

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On page 16, third line from the bottom of the page, "92" appears to be incorrect since it does not appear to be shown, and since edge detectors are indicated with other numerals in Fig. 5. ← ^{old}

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claims 1, 2, 7, 8, 27 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 1, [✓]"-type" renders the claims indefinite because the claims include elements not actually disclosed (those encompassed by "-like"), thereby rendering the scope of the claims unascertainable; in line 3, [✓]"adapted to dispense" is vague and indefinite as to how the dispensers are "adapted" to dispense the different types of tickets; in lines 6-7, structural cooperation is lacking for "a currency acceptor device"; in lines 8-9, "credit means" is vague and indefinite as to what disclosed structure it refers. ←

In claim 7, lines 1-2, structural cooperation is not positively set forth for "dispensing mechanism", particularly with respect to the dispensers set forth in claim 1, in line 2, the comma [✓]"," renders the limitation vague and it seems that it should be deleted; in line 5, it seems that "and" should be deleted for clarity; also in line 5, structural cooperation is not positively set forth for "at least one detector"; in line 6, structural cooperation has not been positively set forth for "a drive device" particularly with respect to the blade.

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In claim 8, line 2, structural cooperation is not positively set forth for “a dispensing mechanism; in lines 5-6, the recitation “positioned to span one of said strips and extend in a direction transverse to said strip” is vague and indefinite since the invention is being defined in terms of the strip which is not part of the claimed invention; in line 8, structural cooperation is lacking for “a second ticket drive device”.

In claim 27, line 5, the recitation “positioned to span said strip and extend in a direction transverse to said strip” is vague and indefinite since the invention is being defined in terms of the strip which is not part of the claimed invention; in lines 6-7, structural cooperation is lacking for “a second ticket drive device”.

In claim 29, line 2, it seems that a word (e.g., extending) is missing before “therefrom”; also in line 2, structural cooperation is not positively set forth for “a drive motor”, particularly with respect to the shaft.

Prior Art

8. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cfd
September 25, 2000